

FILED
TIME 4:00P.

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

CIVIL division

DEC 21 2020

RICHARD W. NAGEL, Clerk of Court
COLUMBUS, OHIO~~COMMERCIAL EXPRESS BUILDING SERVICES~~

Gregory T. Fair, Sr.

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

COMMERCIAL EXPRESS BUILDING SERVICES

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

2:20-cv-6519

(to be filled in by the Clerk's Office)

Jury Trial: (check one)



Yes



No

JUDGE GRAHAM

MAGISTRATE JUDGE TOLSON

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name GREGORY T. FAIR, SR

Street Address 1414 COUNTRY RD

City and County COLUMBUS

State and Zip Code OH 43227

Telephone Number 614-817-5358

E-mail Address gregoryfair614@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	COMMERCIAL EXPRESS BUIDING SERVICES INC,
Job or Title <i>(if known)</i>	COMMERCIAL CLEANING
Street Address	981 GRAY RD.
City and County	PICKERINGTON
State and Zip Code	OH 43147
Telephone Number	614-322-7925
E-mail Address <i>(if known)</i>	jsams@jeffsamslaw.com

Defendant No. 2

Name	Vernon GREENE
Job or Title <i>(if known)</i>	owner
Street Address	981 GRAY DR.
City and County	PICKERING DR.
State and Zip Code	OH 43147
Telephone Number	614-589-7951
E-mail Address <i>(if known)</i>	vernon@commercialexp.com

Defendant No. 3

Name	KAREN GREENE
Job or Title <i>(if known)</i>	owner or administator
Street Address	981 GRAY DR.
City and County	PICKERINGTON
State and Zip Code	OH 43147
Telephone Number	614-589-7951
E-mail Address <i>(if known)</i>	karen@commercialexp.com

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is

Name	COMMERCIAL EXPRESS BUILDING SERVICES INC.
Street Address	981 GRAY DR.
City and County	PICKERINGTON
State and Zip Code	OH 43147
Telephone Number	614-589-7951

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to *(check all that apply)*:



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Other federal law *(specify the federal law)*:

TITLE VII OF THE CIVIL RIGHT ACT OF 1964



Relevant state law *(specify, if known)*:

AGE DISCRIMINATION IN EMPLOYMENT ACT(ADEA)



Relevant city or county law *(specify, if known)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☐ Failure to promote me.
- ☐ Failure to accommodate my disability.
- ☒ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☐ Other acts *(specify)*: _____

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)

07-24-2019

C. I believe that defendant(s) *(check one)*:

- ☒ is/are still committing these acts against me.
- ☐ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- ☐ race _____
- ☐ color _____
- ☒ gender/sex _____
- ☐ religion _____
- ☐ national origin _____
- ☐ age *(year of birth)* _____ *(only when asserting a claim of age discrimination.)*
- ☐ disability or perceived disability *(specify disability)* _____

E. The facts of my case are as follows. Attach additional pages if needed.

Gender Discrimination: Vernon Green the owner of Commercial Express Building Services violated my civil rights when he hired a subordinate female and paid her higher wages then he payed me, When I brought it to Vernon's attention he cussed at me and fired me.

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION Charge Presented To: Agency(ies) Charge

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)*

EEOC Form 161 (11/16) U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
DISMISSAL AND NOTICE OF RIGHTS

- B. The Equal Employment Opportunity Commission *(check one)*:

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on *(date)* 9-15-2020

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

☐

60 days or more have elapsed.

☐

less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I my live and lively hood has been/is severely injured because the owner and company hired & paid a subordinate female more than me, And he further injured me when he was hostile and fired me because I told him that is discrimination. I am 65 yrs. old and and this violation has causes me great career and life time hindrances mental & physical health problems.

I ask the court to grant relief of \$1,000,000 for all the following : 1. Back pay the loss earnings as a result of the discrimination from the date of the discrimination.
2. Compensation for future wage losses as the result the act of discrimination. 3. Lost Benefits of 401k and future

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12-7-2020

Signature of Plaintiff



Printed Name of Plaintiff

Gregory T. Fair, Sr.

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

EEOC Form 161 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Gregory T. Fair, Sr.**
1414 Country Club Road
Columbus, OH 43227

From: **Cleveland Field Office**
EEOC, AJC Fed Bldg
1240 E 9th St, Ste 3001
Cleveland, OH 44199

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

532-2019-02750**Maria M. Colon, Investigator****(216) 306-1129****THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**
☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☐

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☒

Other (briefly state)

RESOLVED BY OTHER LITIGATION**- NOTICE OF SUIT RIGHTS -**

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission


09-15-2020

Enclosures(s)

Karen McDonough
Acting Director

(Date Mailed)

cc:

Vernon Greene
Owner
COMMERCIAL EXPRESS BUILDING SERVICES
981 Gray Drive
Pickerington, OH 43147

Law Office of Jeffrey B. Sams, LLC
10400 Blacklick Eastern Road, NW, Suite 140
Pickerington, OH 43147